

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV341016405US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 5, 2003      Signature:   
(Richard Zimmermann.)

Docket No.: 28341/6304.NDV1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Mikhail F. Gordeev, et al.

Application No.: Not Yet Assigned

Confirmation No.:

Filed: Concurrently Herewith

Art Unit: N/A

For: **ANTIMICROBIAL QUINOLONE  
DERIVATIVES AND USE OF THE SAME  
TO TREAT BACTERIAL INFECTIONS**

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

Copies of references A 21, B16-B21 and C6 are enclosed. However, copies of the other patents and references listed on the attached form PTO/1449 are not supplied because they were previously cited by or submitted to the Office in a prior application number 09/996,927, filed November 29, 2001 and relied upon in this application for an earlier filing date under 35 U.S.C. 120. The English abstract of reference B16 was cited by the Patent Office in the parent application. References B17-B21 were cited in a

communication received from a foreign patent office in a corresponding international application. A copy of the international search report is also enclosed as reference C6.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855. A duplicate copy of this paper is enclosed.

Dated: December 5, 2003

Respectfully submitted,

By Mark H. Hopkins

Mark H. Hopkins, Ph.D.

Registration No.: 44,775

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Agent for Applicant

Form PTO-1449 (Modified)	Atty. Docket No. 28341/6304.NDV1	Serial No. Not Yet Assigned
<b>INFORMATION DISCLOSURE STATEMENT</b>		
Applicant(s) Mikhail F. Gordeev, et al.		
Filing Date	Art Unit N/A	

## U.S. PATENT DOCUMENTS

Examiner Initials		Document Number	Issue or Publication Date	Name	Class	Sub-class	Filing Date (If Appropriate)
	A1	3,669,965	06/13/72	White.	260	250 A	12/29/69
	A2	3,769,295	10/30/73	Hoyle <i>et al.</i>	260	307	08/14/68
	A3	4,065,463	12/27/77	Beck <i>et al.</i>	260	307	09/27/76
	A4	4,283,403	08/11/81	Davenport	424	263	08/13/77
	A5	4,382,892	05/10/83	Hayakawa <i>et al.</i>	260	243.3	09/02/81
	A6	4,563,459	01/07/86	Grohe <i>et al.</i>	514	254	12/14/83
	A7	4,620,007	10/28/86	Grohe <i>et al.</i>	546	156	12/11/85
	A8	4,705,799	11/10/87	Gregory	546	209	12/02/85
	A9	4,801,600	01/31/89	Wang <i>et al.</i>	514	376	10/09/87
	A10	4,921,869	05/01/90	Wang <i>et al.</i>	514	376	08/19/88
	A11	4,948,801	08/14/90	Carlson <i>et al.</i>	514	307	07/29/88
	A12	4,977,173	12/11/90	Brittelli <i>et al.</i>	514	376	07/07/89
	A13	4,985,557	01/15/91	Hayakawa <i>et al.</i>	540	598	03/23/89
	A14	5,053,407	10/01/91	Hayakawa <i>et al.</i>	514	230.2	06/20/86
	A15	5,130,316	07/14/92	Carlson <i>et al.</i>	514	255	06/25/90
	A16	5,142,046	08/25/92	Hayakawa <i>et al.</i>	544	105	08/28/91
	A17	5,164,510	11/17/82	Brickner.	548	231	02/20/91
	A18	5,254,577	10/19/93	Carlson <i>et al.</i>	514	376	08/14/92
	A19	5,523,403	06/04/96	Barbachyn	544	137	05/22/95
	A20	5,654,435	08/05/97	Barbachyn <i>et al.</i>	546	271.4	06/06/95
	A21	5,861,413	01/19/99	Häbich <i>et al.</i>	546	157	01/09/97

## FOREIGN PATENT DOCUMENTS

Examiner Initials		Document Number	Publication Date	Country	Class	Subclass	Translation	
							Yes	No
	B1	DE 31 42 854 A1	05/11/83	DE	C07D	401/04	abstract only	
	B2	DE 32 48 505 A1	07/05/84	DE	C07D	401/04	abstract only	
	B3	DE 32 48 507 A1	07/05/84	DE	A01N	43/42	abstract only	
	B4	EP 0 047 005 A1	03/10/82	EPO	C07D	498/06		
	B5	EP 0 693 491 A1	01/24/96	EPO	C07D	413/04		x
	B6	EP 0 694 543 A1	01/31/96	EPO	C07D	413/04		x
	B7	EP 0 694 544 A1	01/31/96	EPO	C07D	413/04		x
	B8	EP 0 697 412 A1	02/21/96	EPO	C07D	417/04		x

EXAMINER:	DATE CONSIDERED:
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 (Modified)

Atty. Docket No.  
28341/6304.NDV1Serial No.  
Not Yet  
AssignedApplicant(s)  
Mikhail F. Gordeev, et al.

Filing Date

Art Unit  
N/A

## INFORMATION DISCLOSURE STATEMENT

## FOREIGN PATENT DOCUMENTS

Examiner Initials		Document Number	Publication Date	Country	Class	Subclass	Translation Yes	Translation No
	B9	EP 0 206 283 A2	12/30/86	EPO	C07D	498/06		
	B10	JP 57088182	06/01/82	JP	C07D	498/06	abstract only	
	B11	JP 58072589	04/30/83	JP	C07D	498/06	abstract only	
	B12	WO 93/09103	05/13/93	WIPO	C07D	263/20		
	B13	WO 98/07708	02/26/98	WIPO	C07D	261/04		
	B14	WO 99/41244	08/19/99	WIPO	C07D	261/04		
	B15	WO 00/10566	03/02/00	WIPO	C07D	261/12	abstract only	
	B16	ES 2 077 490	11/16/95	ES	C07D	215/56	abstract only	
	B17	EP 0 390 215A2	10/03/90	EPO	C07D	413/12		
	B18	WO 94/13649	06/23/94	WIPO	C07D	263/20		
	B19	DE 196 01 265 A1	07/17/97	DE	C07D	9/547	equivalent to US 5,861,413	x
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	B21	DE 27 55 061	06/15/1978	DE	C07D	471/04		x

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C1	Gregory <i>et al.</i> , "Antibacterials. Synthesis and Structure-Activity Studies of 3-Aryl-2-oxooxazolidines. 1. The "B" Group," <i>J. Med. Chem.</i> , 32:1673-1681 (1989).
C2	Hayakawa <i>et al.</i> , "Synthesis and Antibacterial Activities of Substituted 7-Oxo-2,3-dihydro-7H-pyrido[1,2,3-de][1,4]benzoxazine-6-carboxylic Acids," <i>Chem. Pharm. Bull.</i> , 32:4907-4913 (1984).
C3	Kiely <i>et. al.</i> "Synthesis of 7-(Alkenyl, Cycloalkenyl, and 1,2,3,6-Tetrahydro-4-pyridinyl)quinolones," <i>J. Heterocyclic Chem.</i> , 28:1581-1585 (1991).
C4	Mahmood <i>et al.</i> , "Iron Lewis Acid Catalyzed Reactions of Aromatic Aldehydes with Ethyl Diazoacetate: Unprecedented Formation of 3-Hydroxy-2-arylacrylic Acid Ethyl Esters by a Unique 1,2-Aryl Shift," <i>J. Org. Chem.</i> , 63:3333-3336 (1998).
C5	Newman, Paul, "Optical Remixture Procedures for Chemical Compounds, Vol. 1; Amines and Related Compounds," Optical Remixture Information Center, Manhattan College, Riverdale, N.Y., 10471, 1978.
C6	International Search Report dated 09/20/2000.

EXAMINER:

DATE CONSIDERED:

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